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14 **UNITED STATES DISTRICT COURT**
15 **DISTRICT OF NEVADA**

16 Thomas X. Kotab,

17 Plaintiff,

18 v.

19 United States Citizenship and Immigration
20 Services; Lola K. Parocua, Merrick B.
21 Garland, Alejandro N. Mayorkas,

22 Defendants.

23 Case No. 2:22-cv-1427-RFB-BNW

24 **Stipulation to Withdraw Plaintiff's
25 Section 144(b) Claim and Stay Case
26 Pending Agency Decision**

27 Plaintiff Thomas Kotab, *pro se*, and the United States of America, on behalf of
28 Federal Defendants, the United States Citizenship and Immigration Services, Lola K.
Parocua, Merrick Garland, and Alejandro Mayorkas, through counsel, hereby stipulate
and agree as follows:

1. Plaintiff filed his Complaint on September 1, 2022.

2. Plaintiff served the United States Attorney's Office for the District of Nevada
with a copy of the Summons and Complaint on September 2, 2022.

3. The current deadline for Federal Defendants to answer or otherwise respond
is November 1, 2022.

4. Since the filing and serving of the Complaint, the parties have engaged in discussions to try to resolve the issues presented by this case without Court intervention. As such, the parties hereby stipulate and agree that Plaintiff's section 1447(b) claim should be withdrawn so as to allow jurisdiction to return to the United States Citizenship and Immigration Services ("USCIS") for review and adjudication of Plaintiff N-400 Application for Naturalization. The parties further stipulate and agree that this case should be held in abeyance until such time as the USCIS has made a final determination as to Plaintiff's N-400 Application for Naturalization.

5. Accordingly, the parties request that the Court stay this matter for 60 days pending resolution or final adjudication of Plaintiff's N-400 Application for Naturalization. If the parties are able to resolve this matter, they will promptly file a stipulation of dismissal.

6. If the parties are unable to resolve this matter and the case is not dismissed, the parties agree to file a joint status report 60 days after entry of the Court's stay order.

7. This stipulation is made in good faith and not for the purpose of delay.

Respectfully submitted this 1st day of November 2022.

/s/ Thomas X. Kotab
THOMAS X KOTAB

Pro se

JASON M. FRIERSON
United States Attorney

/s/ Skyler H. Pearson
SKYLER H. PEARSON
Assistant United States Attorney

Attorneys for the United States

IT IS SO ORDERED:

**RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE**

DATED: February 9, 2023